

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

FILED BY JE D.C.

05 SEP 27 AM 11:29

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
DESHONE L. SKINNER,)
)
Defendant.)

NO. 05-20277 D/An

ORDER DENYING MOTION FOR EXTENSION OF TIME TO FILE MOTIONS

Before the Court is Defendant's Motion for Extension of Time to File Motions filed on September 19, 2005.¹ First, the Local Rules for the Western District of Tennessee require that all motions filed in the Court shall be "accompanied by a supporting memorandum of facts and law." Local Rule 7.2(a)(1) for the Western District of Tennessee. Defendant failed to file a supporting memorandum of facts and law with his Motion. Second, Defendant also failed to file a proposed order as required by Rule 7.2(a)(1)(A) of the Local Rules of the United States District Court for the Western District of Tennessee and a Certificate of Consultation as required by Local Rule 7.2(a)(1)(B) of the Local Rules of the United States District Court for the Western District of Tennessee. Local Rule 7.2(a)(1)(B) provides:

Consultation by Counsel. All motions, including discovery motions, but not including motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a certificate of counsel (with one copy) affirming that, after consultation between the parties to the controversy, they are unable to reach an accord as to all issues or that all other parties are in agreement with the action requested by the motion. Failure to file an accompanying certificate of

¹Counsel should note that the correct Case Number for this action is 05-20277, not 05-277-01.

consultation may be deemed good grounds for denying the motion.

The certificate must contain the names of participating counsel and the date and manner of consultation. The burden will be on counsel filing the motion to initiate the conference upon giving reasonable notice of the time, place and specific nature of the conference. If an opposing counsel or party refuses to cooperate in the conduct of a conference, counsel must file certificate to that effect, setting out counsel's efforts to comply with this rule.

Because Defendant did not file a memorandum, a proposed order, or a certificate of consultation, the Motion is **DENIED** without prejudice. Defendant is entitled to re-file his Motion, so long as the Motion complies with the Local Rules for the Western District of Tennessee.

IT IS SO ORDERED.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: September 26, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 43 in case 2:05-CR-20277 was distributed by fax, mail, or direct printing on September 28, 2005 to the parties listed.

Joseph C Murphy
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

PDA
FEDERAL PUBLIC DEFENDER
200 Jefferson Ave.
Ste. 200
Memphis, TN 38103

April Rose Goode
FEDERAL PUBLIC DEFENDER
200 Jefferson Ave.
Ste. 200
Memphis, TN 38103

Michael G. Floyd
FLOYD LAW FIRM
2129 Winchester Rd.
Memphis, TN 38116

William C. Gosnell
LAW OFFICE OF WILLIAM C. GOSNELL
245 Exchange Ave.
Memphis, TN 38105

Honorable Bernice Donald
US DISTRICT COURT